

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

CLEO CARTER and NIKKI CARTER,
Individually and as best friend of their minor
Child, B.M.C.,

Plaintiffs,

v.

No. 14-2241

SHELBY COUNTY SCHOOL SYSTEM,
KASANDRA BERRY and CLANCY
PATTERSON,

Defendants.

ORDER DENYING AS MOOT PLAINTIFFS' MOTIONS FOR PARTIAL SUMMARY
JUDGMENT

Before the Court are the May 7 and 17, 2015 motions of Plaintiffs, Cleo and Nikki Carter, individually and on behalf of their minor son, B.M.C., for partial summary. (D.E. 62, 64.) On August 14, 2015, the Plaintiffs filed their amended complaint. "When a party files an amended pleading, the amended pleading supersedes all those that came before." *Specialized Pharmacy Servs., LLC v. Magnum Health & Rehab of Adrian, LLC*, No. 12-12785, 2012 WL 6212707, at *1 (E.D. Mich. Dec. 13, 2012). An amended complaint renders the initial pleading a nullity. *Alsbrook v. Recontrust Co., N.A.*, No. 2:13-cv-02067-JPM-cgc, 2013 WL 1820049, *1 (W.D. Tenn. Apr. 30, 2013). The filing of an amended complaint renders a motion for summary judgment irrelevant because "there is no longer a live dispute about the propriety or merit of the claims asserted therein." *Law v. Stewart*, No. 1:09-CV-503, 2010 WL 2998515, at *1 (W.D. Mich. July 23, 2010) (quoting *Glass v. The Kellogg Co.*, 252 F.R.D. 367, 368 (W.D. Mich.

2008)). Accordingly, the Plaintiffs' motions for summary judgment, directed solely to the original complaint, are DENIED as moot without prejudice to refileing.

IT IS SO ORDERED this 2nd day of September, 2015.

/s J. DANIEL BREEN
CHIEF UNITED STATES DISTRICT JUDGE